

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>082368-008900US</b> U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/589,594</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP2004/002145</b>	INTERNATIONAL FILING DATE <b>February 24, 2004</b>	PRIORITY DATE CLAIMED
TITLE OF INVENTION <b>METHOD FOR DIAGNOSING COLORECTAL CANCERS</b>		
APPLICANT(S) FOR DO/EO/US <b>NAKAMURA and FURUKAWA</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> </ol>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/589,594</b>	INTERNATIONAL APPLICATION NO. <b>PCT/JP2004/002145</b>	ATTORNEY'S DOCKET NUMBER <b>082368-008900US</b>
20. Other items or information: <ul style="list-style-type: none"> <li>• Express Mail Label No. <u>EV 332018493 US</u></li> <li>• Submission of Sequence Listing Under 37 CFR 1.821-1.825 (included with Preliminary Amendment)</li> <li>• Paper copy of Sequence Listing</li> <li>• Declaration of Yusuke Nakamura</li> <li>• Copy of Notification of Missing Requirements</li> <li>• Copy of Raw Sequence Listing Error Report</li> <li>• Return Postcard</li> </ul>		
The following fees have been submitted		<b>CALCULATIONS    PTO USE ONLY</b>
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... <b>\$300</b>		\$
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))		\$
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... <b>\$0</b>		\$
All other situations ..... <b>\$200</b>		\$
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))		\$
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... <b>\$0</b>		\$
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... <b>\$100</b>		\$
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... <b>\$400</b>		\$
All other situations ..... <b>\$500</b>		\$
<b>TOTAL OF 21, 22 and 23 =</b>		\$
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.		\$
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
- 100 =	/50 =	x \$250
		\$
Surcharge of <b>\$130.00</b> for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$ 130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	- 20 =	x \$ 50
Independent claims	- 3 =	x \$200
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		\$
<b>SUBTOTAL =</b>		\$ 130.00
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$
<b>TOTAL NATIONAL FEE =</b>		\$ 130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property		\$
<b>TOTAL FEES ENCLOSED =</b>		\$ 130.00
		Amount to be refunded:
		\$
		Amount to be charged:
		\$ 130.00

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="text-align: center; font-weight: bold;">10/589,594</div>	INTERNATIONAL APPLICATION NO. <div style="text-align: center; font-weight: bold;">PCT/JP2004/002145</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center; font-weight: bold;">082368-008900US</div>
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a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 20-1430 in the amount of \$ 130.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.


c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

Kevin Bastian  
TOWNSEND AND TOWNSEND AND CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, CA 94111-3834

  
 \_\_\_\_\_  
 SIGNATURE  
 \_\_\_\_\_  
 Kevin Bastian  
 NAME  
 \_\_\_\_\_  
 34,774  
 REGISTRATION NUMBER

61072263 v1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/589,594

FIRST NAMED APPLICANT

Yusuke Nakamura

ATTY. DOCKET NO.

082368-008900US

INTERNATIONAL APPLICATION NO.

PCT/JP04/02145

I.A. FILING DATE

02/24/2004

PRIORITY DATE

20350

TOWNSEND AND TOWNSEND AND CREW, LLP  
 TWO EMBARCADERO CENTER  
 EIGHTH FLOOR  
 SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 8459

371 FORMALITIES LETTER



\*OC000000023344831\*

*Response Due* 06/12/07  
*Seq. Req.* 06/12/07

Date Mailed: 04/12/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/15/2006
- Copy of the International Search Report filed on 08/15/2006
- Information Disclosure Statements filed on 05/23/2006
- Biochemical Sequence Diskette filed on 08/15/2006
- Biochemical Sequence Listing filed on 08/15/2006
- U.S. Basic National Fees filed on 08/15/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/589,594	PCT/JP04/02145	082368-008900US